

**VILLAGE OF EMPRESS**

**BYLAW NO. 2020-10**

BEING A BYLAW OF THE VILLAGE OF EMPRESS IN THE PROVINCE OF ALBERTA TO  
ADOPT A MUNICIPAL DEVELOPMENT PLAN

**WHEREAS** the Municipal Government Act, R.S.A. 2000, c M-26 and any amendments thereto, mandates the Council of a municipality to adopt a municipal development plan.

**WHEREAS** a Public Hearing as required by section 692 of the Municipal Government Act R.S.A. 2000, c M-26 will be held prior to second reading of this Bylaw;

**NOW THEREFORE** the Municipal Council of the Village of Empress, duly assembled, hereby enacts as follows:

**1. BYLAW TITLE**

1.1 That this bylaw is called the “Village of Empress Municipal Development Plan Bylaw”.

**2. MUNICIPAL DEVELOPMENT PLAN**

2.1. The document entitled “Village of Empress – Municipal Development Plan dated August 20, 2020 attached hereto as Schedule “A” to this bylaw, is hereby adopted as the Municipal Development Plan for the Village of Empress.

**3. EFFECTIVE DATE**

3.1. This Bylaw takes effect on the date of the third and final reading.

READ A FIRST TIME this 20th day of August, 2020.

READ A SECOND TIME this 22<sup>nd</sup> day of October, 2020.

READ A THIRD TIME AND FINALLY PASSED this 22nd day of October, 2020.

*Carmen Cooper*

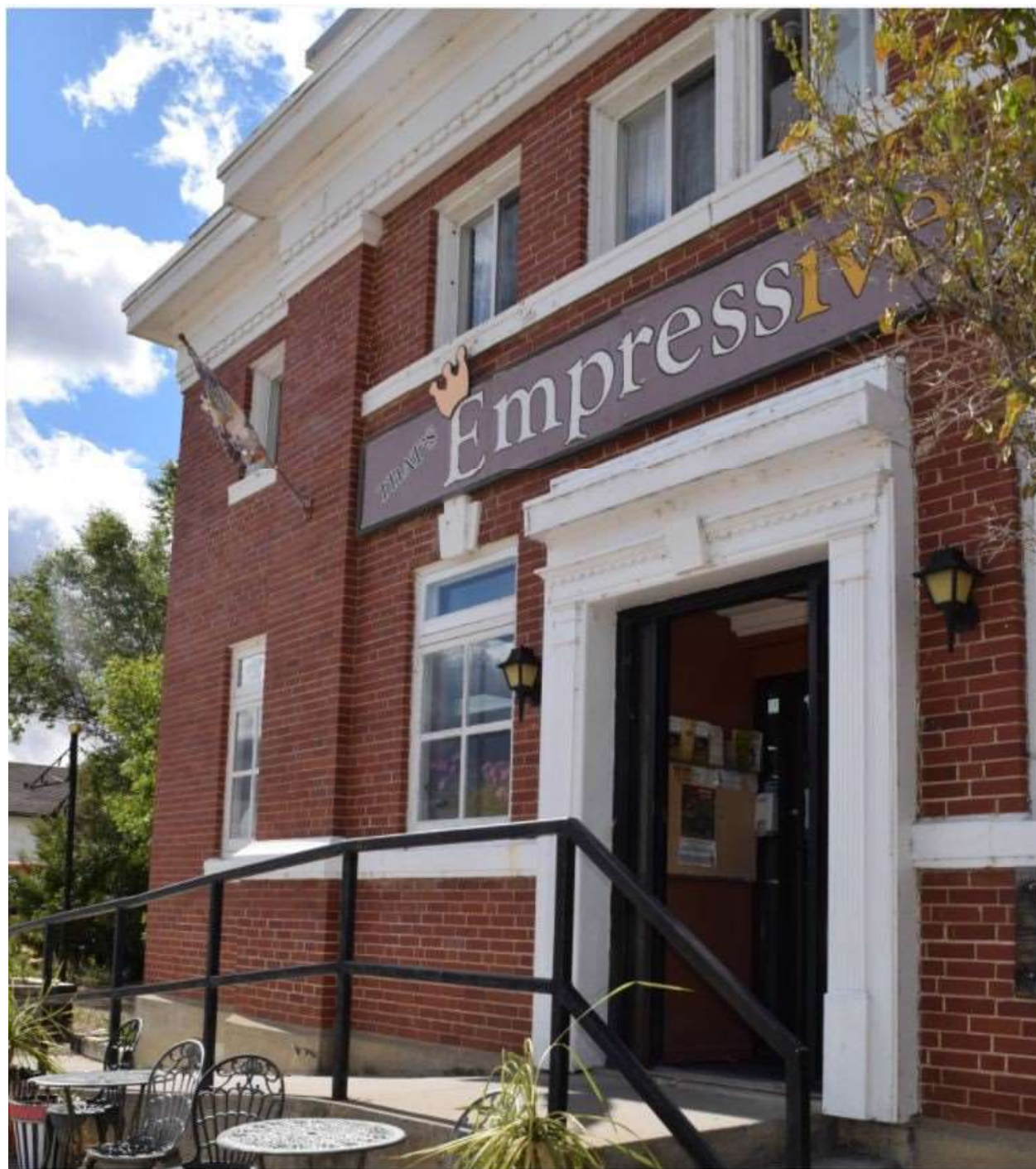
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MAYOR

*Debbie Ross*

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CHIEF ADMINISTRATIVE OFFICER



# MUNICIPAL DEVELOPMENT PLAN

## VILLAGE OF EMPRESS



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# 1:0 INTRODUCTION

The Municipal Development Plan (MDP) is a statutory document identifying the long term goals and policy objectives for the purpose of guiding the physical, social and cultural growth in the Village of Empress. It is a statement of intent for the future of the community and will serve as a document to guide Council, the public, developers, and others in making future land use decisions. Further, the Plan identifies desired goals against which all current subdivision and development proposals may be evaluated. It is the community's intent to evolve in a manner which is logical, environmentally responsible and economically feasible for the long term benefit of its residents and investors and most importantly, for future generations who will inherit the results of the decisions made today.



## 1.1 Statutory Requirements of the Plan

Section 632(1) of the Municipal Government Act (R.S.A., 2000, Ch M-26) provides that every council of a municipality must by bylaw adopt a Municipal Development Plan.

Section 632 (3) of the MGA states:

The MDP must address:

- I. the future land use within the municipality,
- II. the manner of and the proposals for future development in the municipality,
- III. the coordination of land use, future growth patterns and other infrastructure with adjacent municipalities if there is no intermunicipal development plan with respect to those municipalities,
- IV. the provision of required transportation systems either generally or specifically within the municipality and in relation to adjacent municipalities, and
- V. the provision of municipal services and facilities either generally or specifically,

The MDP must contain:

- I. policies compatible with the subdivision and development regulations to provide guidance on the type and location of land uses adjacent to sour gas facilities,
- II. policies respecting the provision of municipal, school or municipal and school reserves, including but not limited to the need for, amount of land allocation of those reserves and the identification of school requirements in consultation with affected school boards,
- III. policies respecting the protection of agricultural operations.

The MDP may address:

- I. proposals for the financing and programming of municipal infrastructure,
- II. the coordination of municipal programs relating to the physical, social and economic development of the municipality,
- III. environmental matters within the municipality,
- IV. the financial resources of the municipality,
- V. the economic development of the municipality, and
- VI. any other matters relating to the physical, social or economic development of the municipality.

The MDP may contain:

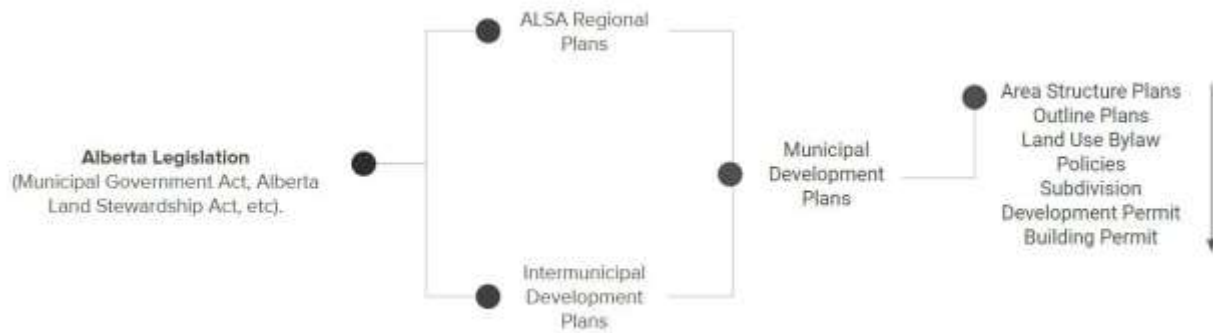
- I. statements regarding the municipality's development constraints, including the results of any development studies and impact analysis, and goals, objectives, targets, planning policies and corporate strategies, and
- II. policies respecting the protection of conservation reserve in accordance with section 664.2(1)(a) to (d).

Section 632(4) of the MGA states:

- I. A municipal development plan must be consistent with any intermunicipal development plan in respect of land that is identified in both the municipal development plan and the intermunicipal development plan.

The Municipal Development Plan shall become a statutory document of the Village of Empress on the day it is adopted by Council. This plan shall not relieve a person from compliance with the Land Use Bylaw nor any other document established pursuant to the Municipal Government Act. It is intended to provide the framework that will guide and inform more detailed plans and policies. In particular, the Land Use Bylaw will be an important tool for implementing the policies of this plan.





**Figure 1: Hierarchy of Plans**

## 1.2 Interpretation

This MDP uses specific language to ensure clear and concise policies that are to be used to guide decision making. Further, it is important to ensure these policies are communicated in the proper context. The following words are to be interpreted throughout the plan as follows:

**Shall, require, must, or will:** mean that the policy is mandatory; exceptions would require an amendment to the Pan.

**Should:** always applies to the situation unless it can clearly be identified to the agreement of Council or the Approving Authority that in the given situation, the policy is not reasonable, practical or feasible.

**May:** acknowledges support in principle and indicates that Council or the Approving Authority has the discretion to determine the level of compliance that is required.

Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. Unless otherwise stipulated, the Interpretation Act, Chapter I-8, RSA 2000 as amended, shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.

All references to a specific agency, body, or department were accurate at the time of writing. It is understood that agency, body and department names change from time to time. All references throughout the Plan shall therefore be considered to be applicable to the current relevant agency, body or department.

The geographical or relative boundaries or any variable presented on the maps contained in this Plan, shall be interpreted as a rough approximation and not an accurate depiction of its actual or full extension.



# 2.0 CONTEXT

## 2.1 History of the Community

Empress was named in 1913, for Queen Victoria, who was also Empress of India. In the past it was known as the “Hub of the West, connecting major cities together by the Canadian Pacific Railway. It is located at the confluence of Red Deer River and South Saskatchewan River, at an elevation of 650 metres (2,130 ft.).



## 2.2 Population Trends

In the 2013 Census of Population conducted by the Village of Empress, a population of 126 was recorded. In the 2018 Municipal Census the population had grown to 155 people living in 71 of its 109 total private dwellings, a 23% increase. Along with our full time residents we have a significant number of seasonal dwellers who use Empress as their summer home.

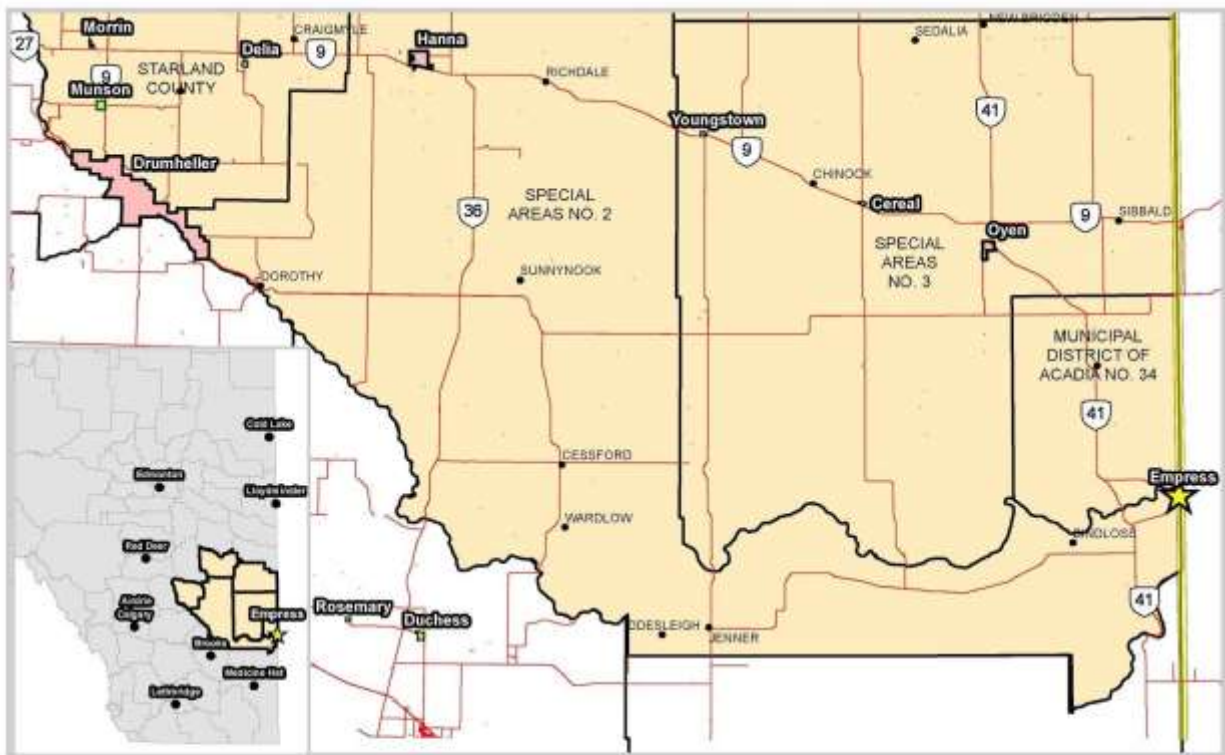
## 2.3 Regional Context

The Village of Empress is in southeastern Alberta along the Alberta/Saskatchewan border, connected to

Buffalo Trail by Highway 899, and Highway 562. The corporate limits encompass 7.07 square kilometres. The region contains prime agricultural land with a flat to rolling topography, which supports a wide variety of extensive grain and cattle operations as well as industrial/commercial projects. Empress is also widely known for its Artisan community, housing a number of Artisans in many genres from writers to painters, potters to jewelers, etc.







1:800,000

**Legend**

-  Empress
-  Town
-  PRMS Rural Municipalities
-  Village
-  Hamlets



**Regional Context**



**Figure 2, Regional Context**

## 2.4 Land Base

The Village of Empress has a land base of approximately 399.37 acres within the Village Boundaries and 242.83 Acres in Special areas along the Red Deer River. Currently, approximately 247 lots or 54% of the lands within the Village boundary are undeveloped.

Land Use District	Code	# of Parcels	Total Acres	Privately Owned	Municipally Owned	Vacant Private	Vacant Municipal
Commercial	C	46		28	18	10	5
Industrial	I	34		9	25	2	25
Residential	R	191		167	24	40	21
Manufactured Home Park	MH	29		2	27	1	27
General	G	155		86	69	64	52
Parks & Open Space	Peter Fidler		242				
<b>Total</b>		455	242	292	163	177	130

**Figure 3, 2018 Census Data**



## 2.5 Existing Infrastructure and Capacity

The Village of Empress completed a new water treatment facility in 2013, and in 2019 the Water pump station will be completed. The municipal water and wastewater systems have adequate capacity to service a population of approximately 300 to 350 people. In 2016 water and sewer mains were extended to service an additional 27 lots on the north end of the Village.

**It should be noted that currently all 399 acres in the Village of Empress are zoned, but some parcels are vacant to be developed.**



# 3.0 Future Development

## 3.1 Municipal, Environmental and School Reserve

The *Municipal Government Act (MGA)*, stipulates that a Municipal Development Plan must address the provision of municipal and school reserve.

### a) Objectives

- I. To establish guidelines for the allocation of municipal and school reserve.
- II. To ensure that any applicable municipal and/or school reserves are addressed or acquired at the time of subdivision.

### b) Policies

- I. Municipal and/or school reserve will be provided in accordance with section 666 of the *Municipal Government Act*.
- II. Where the reserve requirement is to be satisfied as money in place of land, it shall be done so in accordance with the provisions of section 667 of the *Municipal Government Act*.
- III. Municipal and/or school reserve will not be required to be provided subject to situations under section 663 of the *Municipal Government Act*.
- IV. In the opinion of the Municipal Planning Commission, environmental reserve may be provided at the time of subdivision, in accordance with section 664(3) of the *Municipal Government Act*, but environmental easements may also be considered.
- V. Where the provision of land for municipal, school or environmental reserve has been required, such lands shall be designated on a final instrument and registered for those purposes at Land Titles Office in accordance with section 665 of the *Municipal Government Act*.
- VI. Where the municipality is of the opinion that certain lands may be resubdivided in the future, the Subdivision and Development Authority may require that municipal or school reserves be deferred by caveat pursuant to section 669 of the *Municipal Government Act*.
- VII. The municipality may also acquire lands for municipal reserve purposes pursuant to section 665 of the *Municipal Government Act*.

- VIII. The Village of Empress will receive all municipal reserve funds paid and, should a school authority in the future require land for a school, an agreement for possible municipal assistance will be discussed at that time.

### **3.2 Sour Gas Facilities**

The *Municipal Government Act (MGA)*, stipulates that a Municipal Development Plan must address guidance on land use adjacent to sour gas facilities.

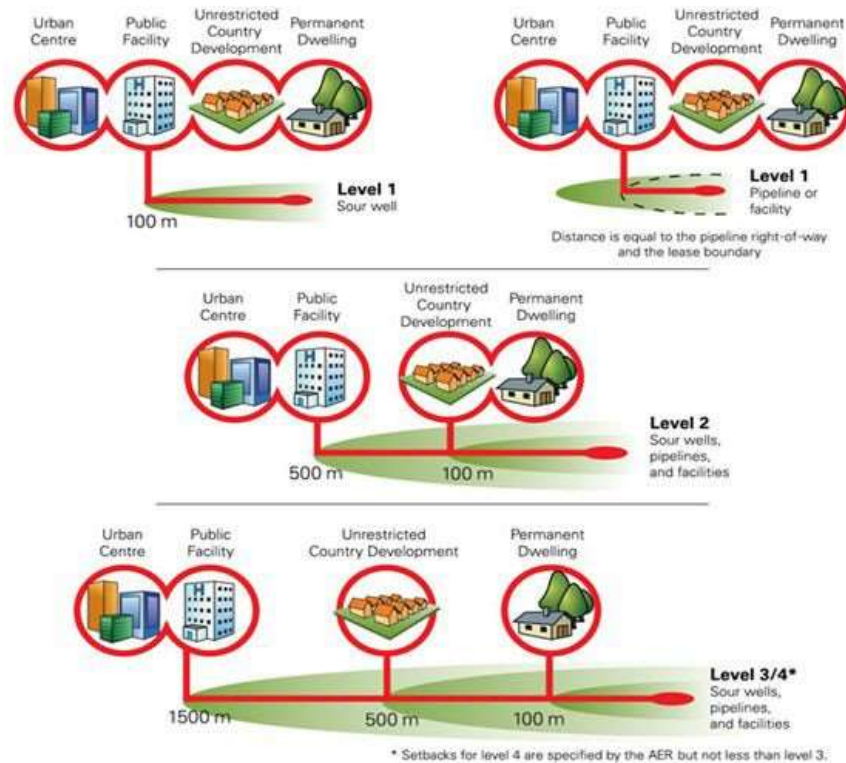
#### **a) Objectives**

- I. To meet the legislative requirements of the *Municipal Government Act*, the Provincial Land Use Policies and the *Subdivision and Development Regulation*.
- II. To identify any sour gas facilities within the corporate limits of the Village of Empress.
- III. To minimize any adverse land use conflicts for a proposed subdivision or development in close proximity to a sour gas facility.

#### **b) Policies**

- I. The municipality shall ensure that all subdivision and development applications that are located within 1.5 kilometres of a sour gas facility are referred to the Energy Resources Conservation Board (ERCB).
- II. Pursuant to section 619 of the *Municipal Government Act*, a license, permit, approval or other authorization granted by the Energy Resources Conservation Board, Alberta Energy and Utilities Board or Alberta Utilities Commission shall prevail over any bylaw or land use decision rendered by the municipality.
- III. Residential subdivision and development shall not be approved if it would result in development within 100 metres of a gas or oil well unless the development would be within a lesser distance approved in writing by the Energy Resources Conservation Board, pursuant to section 11(1) of the Alberta Subdivision and Development Regulation.
- IV. Setback guidelines for sour gas facilities shall be in accordance with the standards established in Figure 4 – Minimum Setback Distances provided

by the Energy Resources Conservation Board or any subsequent standards should these existing guidelines be revised.



**Figure 4, ERCB Setback Guidelines**

### 3.3 Residential

The focus of the Municipal Development Plan is primarily on the development of new residential areas; however, it is sound planning for the future to advocate the infill of existing, vacant residential properties first, taking into consideration the costs associated with the extension of utilities. Whether considering new or infill development opportunities, it is imperative to ensure that all development supports the creation of safe, attractive neighbourhoods which provide accessible housing to a wide range of individuals with a variety of needs.

**a) Objectives**

- I. To encourage the use of existing, vacant, serviced lots for residential development.
- II. To encourage a diversity of housing types and densities within the Village.

**b) Policies**

- I. To promote the development of vacant lots.
- II. Council may offer tax incentives to encourage development of vacant residential lots in the Village.



### **3.4 Commercial**

The Village supports commercial development on undeveloped land in existing designated commercial areas.

#### **a) Objectives**

- I. To encourage appropriate commercial development to locate in the Village.
- II. To encourage a diversified range of commercial activities and services.
- III. To encourage the use of vacant commercial lots and buildings in the Village, prior to developing greenfield lands.
- IV. To encourage commercial development that will promote tourism, retail sales and employment in the Village.

#### **b) Policies**

- I. To promote development of vacant commercial properties, Council will provide information that directs prospective commercial operations to relevant agencies that can provide further assistance.
- II. Council may compile a registrar of commercial uses that the community considers needed in the Village, to identify current gaps in commercial services, and actively seek to fill the gaps through such actions as recruitments and promotions.
- III. Council will ensure that future development will be contiguous with existing developed areas and shall have regard for the adequacy of existing services and the feasibility of extending them.

### **3.5 Industrial**

Industrial development will always play an important role in the economic well-being and financial viability of the Village of Empress. Increasing local employment opportunities, outside of agriculture related pursuits, will help to diversify and potentially stabilize the local economy.



**a) Objectives**

- I. To encourage a diversity of industrial activities in the Village of Empress.
- II. To physically separate industrial land uses from incompatible land uses.

**b) Policies**

- I. Council shall promote appropriate land in the Village for industrial purposes through social media and marketing campaigns with our regional partners.
- II. Industrial development will occur in a logical manner, with utilities being extended from the boundary of existing development.
- III. Council and/or the Development Authority shall consider the environmental impacts of any proposed industrial development or subdivision in the Village.





1:6,800



### Legend

-  Village Boundary
-  C - Commercial
-  I - Industrial
-  R - Residential

### Future Land-Use



**Figure 5, Future Land-Use**

### 3.6 Parks and Open Space

Recreational space, whether in the form of open space or a manicured and maintained park, is a valuable amenity in the Village of Empress and can contribute to a higher quality of life for its residents. Access to cultural and recreational facilities is also important in the evolution of the community and can contribute to increased tourism opportunities.



#### a) Objectives:

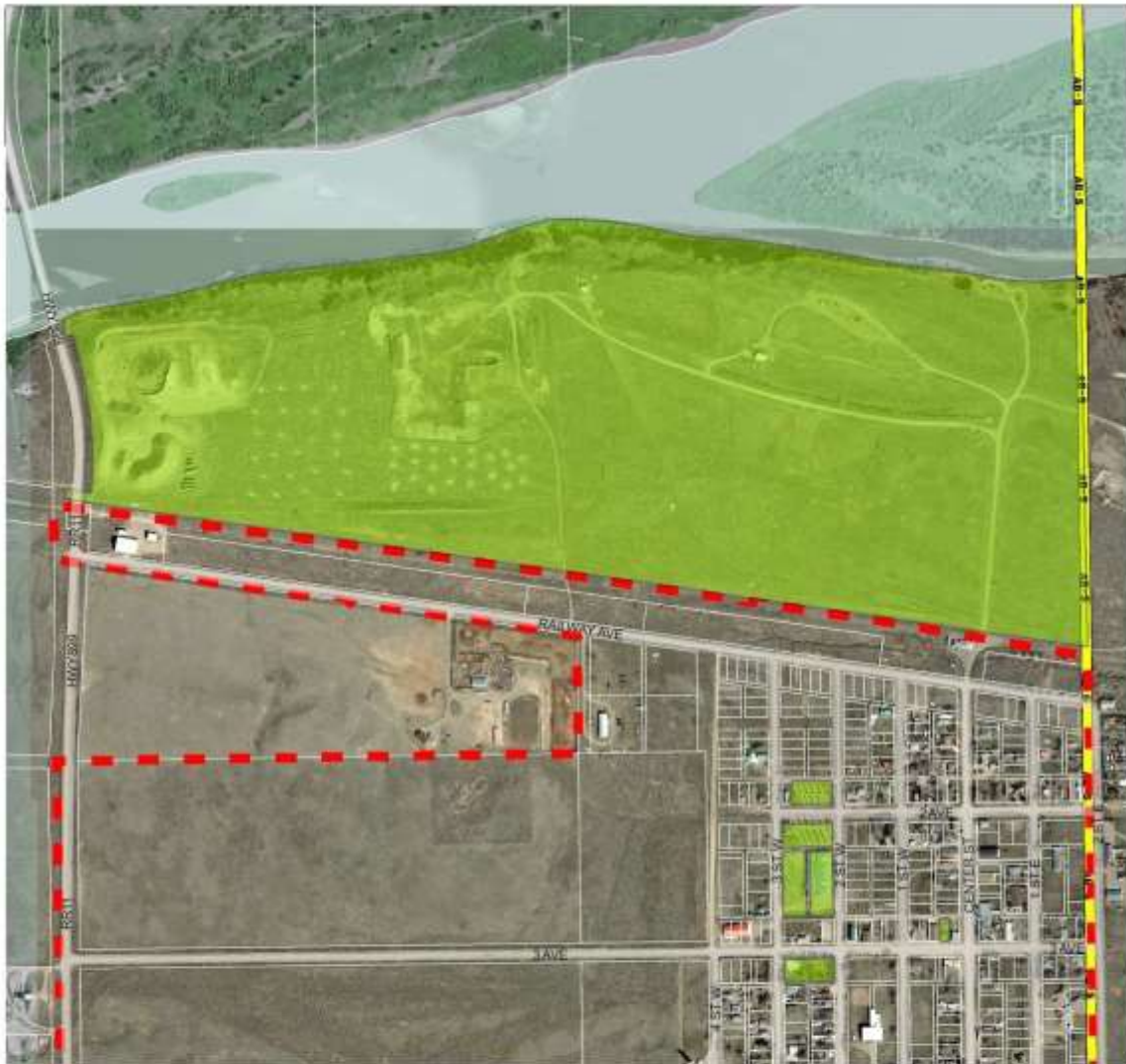
- I. To preserve and enhance the current natural areas and facilities in the Village of Empress.
- II. To encourage recreational developments that will promote tourism.
- III. To encourage service clubs in promoting the Village of Empress.
- IV. To encourage volunteer efforts in community facilities, events and programs.



**b) Policies:**

- I. Council should ensure that the Village's recreational facilities are promoted and advertised on a regional basis through social media, marketing with our regional partners, newsletters and the village of Empress website.
- II. Areas unsuitable for development due to cost, may be retained as low maintenance, natural park areas to increase the range of recreational opportunities within the community.
- III. Council should work in conjunction with service clubs, community groups, volunteer groups, and outside agencies, for the betterment of community facilities and special events.





1:8,600



### Legend

-  Parks & Open Space
-  Village Boundary
-  AB\_Sask\_Border

## Parks & Open Space



**Figure 6, Parks & Open Space**

### **3.7 Agriculture, Undeveloped & Urban Reserve**

Lands that are currently being utilized for small scale, agricultural purposes or are undeveloped are generally identified under the Land Use Bylaw as “General” land for the time being. It is noted that support for a limited range of agricultural pursuits will not prejudice the future conversion of the lands to a variety of more intensive, urban developments.

#### **a) Objectives:**

- I. To support the agricultural community.
- II. To minimize conflict between agricultural operations and other uses.

#### **b) Policies:**

- I. To support new agricultural ventures and continue to allow appropriately scaled agricultural operations to continue within the urban boundary.
- II. To minimize conflict between agricultural operations and other uses both within the Village boundaries and outside in the adjacent rural community, by continuing consultation with potentially affected land owners, municipal neighbours and Provincial authorities.

### **3.8 Environment**

One of our most significant and enduring resources is the natural environment. The natural vegetation we see, the air we breathe and the water we drink are important basics in our everyday lives and we need to effectively limit or reduce our environmental impact within not only the community, but the region as well. Individual actions can make positive contributions to regional initiatives focussing on not harming, and in fact improving, the local environment and the ecological features which sustain our lifestyles.





**a) Objectives**

- I. To encourage any development in the Village to minimize its impact on the air, water, and soil resources of the area.
- II. To encourage recycling of waste materials in the Village of Empress, both by individuals and by service organizations.

**b) Policies**

- I. Council may develop and implement a tree planting and replacement program for the community.

### **3.9 Infrastructure and Utilities**

The maintenance and operation of viable, affordable and sustainable community infrastructure is extremely important to residents. Road maintenance, for example, is one of the community's largest budgetary expenses. A strong system of community infrastructure is an important component for encouraging new investment in Empress.

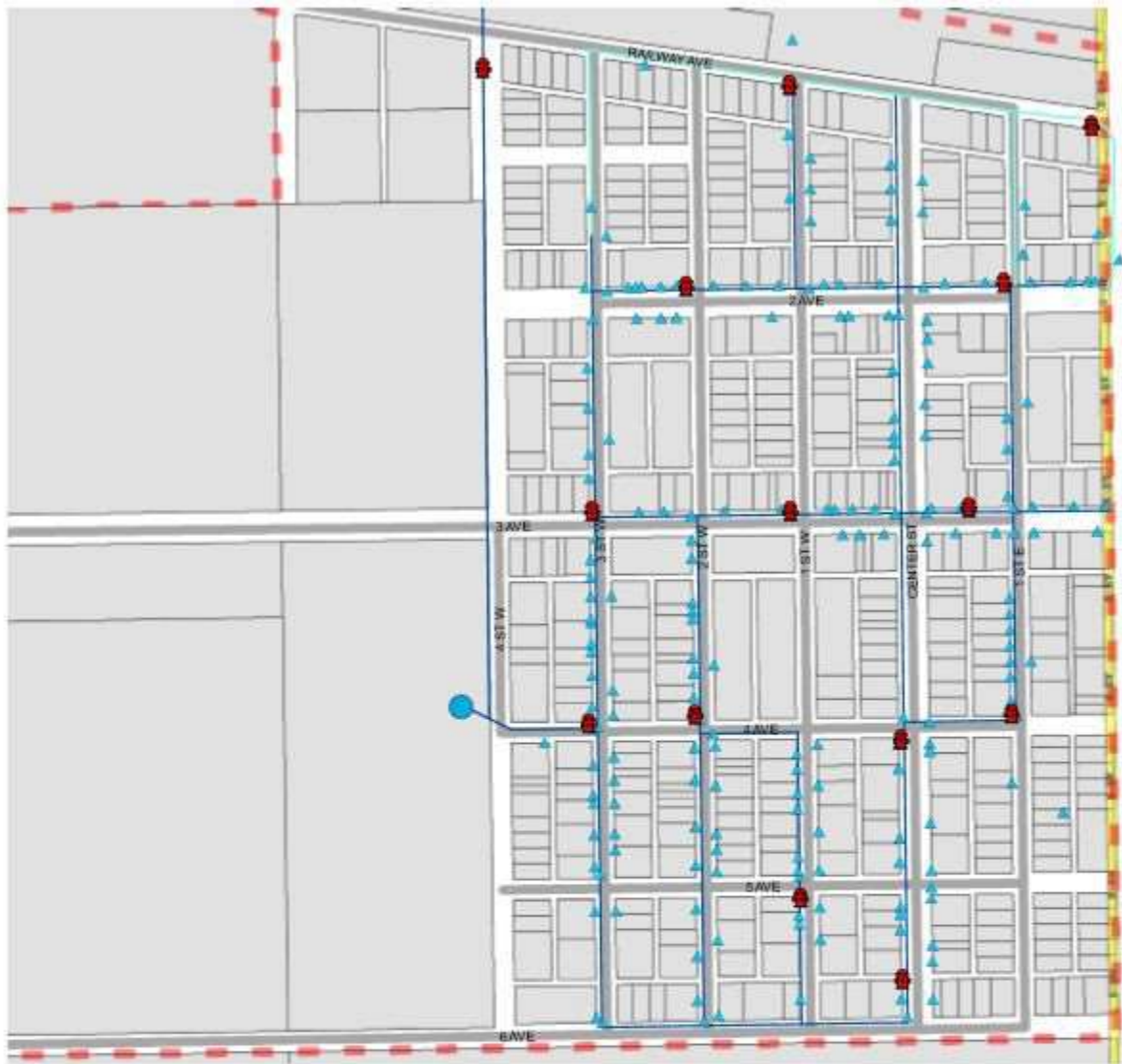
## **Water & Wastewater**

### **a) Objectives**

- I. To encourage extensions to the municipal water and wastewater systems to proceed in an orderly, efficient and cost conscious manner.
- II. To encourage the use of water conservation practices in the Village of Empress.
- III. To maintain an up-to-date asset management program.

### **b) Policies**

- I. Water and wastewater systems will need to be upgraded to accommodate full build-out of the community and will be completed in contiguous extensions when financially viable.
- II. Water and wastewater systems shall be regularly monitored and maintained.
- III. Whenever feasible, utility upgrades will be undertaken at the time of system repairs.
- IV. Where opportunities exist for regional cooperation with other municipalities and service providers, Council will endeavour to achieve economically sensible solutions.



1:9,000

## Water Distribution System



### Legend

- |                 |                      |                  |
|-----------------|----------------------|------------------|
| Water Hydrants  | Water Treatment      | Village Boundary |
| Water Reservoir | 6 inch Water Line    | AB-Sask Border   |
| Water Valves    | 7.25 inch Water Line | River            |



**Figure 7, Water Distribution System**



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## Sanitary Distribution System



### Legend

- Sanitary Manholes
- Village Boundary
- Sanitary Lines
- AB Sask Border



**Figure 8, Sanitary Distribution System**

## **Transportation**

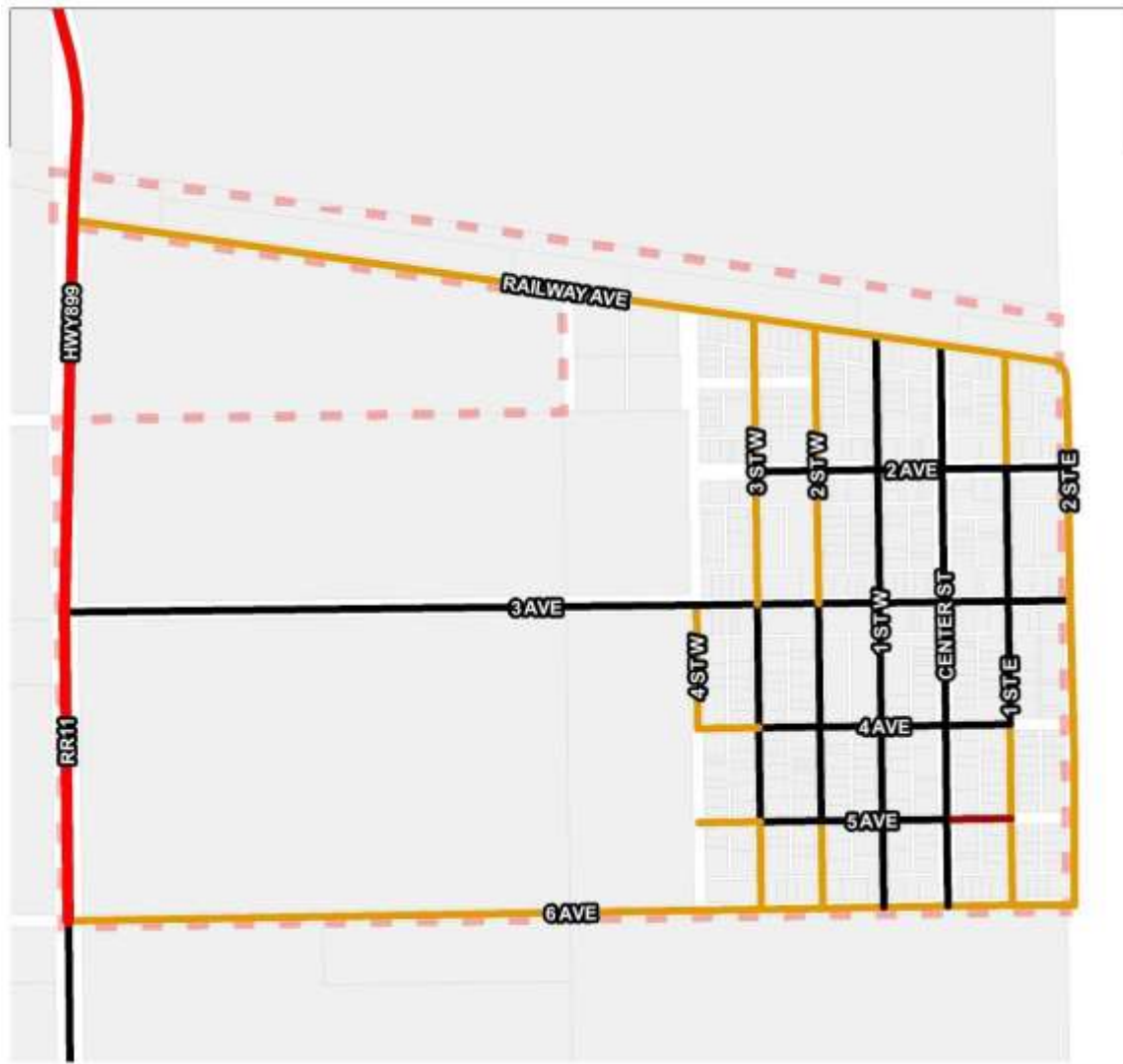
### **a) Objectives**

- I. To maintain a safe and efficient transportation system.
- II. To ensure the Village maintains all-weather, passable roads.
- III. To encourage the use of appropriately located truck routes within the Village.

### **b) Policies**

- I. Council may develop and implement a maintenance, dust control, and/or paving program.
- II. Based on demonstrated demand and feasibility, the Village may install sidewalks along existing roads.





1:8,500

## Road Network



### Legend

- Provincial Highway
- Asphalt
- Dirt
- Gravel
- - - Village Boundary



**Figure 9, Road Network**



## 4.0 PHASING OF DEVELOPMENT

### 4.1 Residential Growth

The sequence of residential development in the future is based mainly upon the cost and ease by which utilities can be extended and the existing capacity of the infrastructure within the community. Development of existing, vacant lots and the ability to extend services to the adjacent lands owned by the Village will meet the growth needs of the community in the near to midterm horizons. Water and wastewater utility servicing and roads can be logically extended into this area. Full infilling of vacant lots will accommodate 61 new residences and the development of the mobile home park could accommodate 28 mobile homes. Thus, using an average of two persons per residency, there is the potential to increase the Village's population by 178.



The longer term residential development envisioned by the Plan identifies the west portion of the community for long term development which may include a wide variety of

housing forms and densities. The completion of this phase of development could provide for an additional population of 220, as a low estimate. In order to proceed with development in this portion of the community, the water reservoir and the sewage lagoon must both be upgraded.

#### **4.2 Commercial & Industrial Growth**

The current inventory of existing vacant commercial lands consists of 10 privately held lots and 5 municipally owned lots. It is expected that for further commercial growth to occur, the residential expansion to the west would include a commercial district next to the highway consistent with the current zoning.

The inventory of lands available for industrial development includes 2 privately owned and 25 municipally owned lots. 20 of the Village owned lots are small and will probably require some amalgamations to accommodate industrial activity. The proposed expansion to the west would also include some Industrial lots that align with the current land use districts.



# 5.0 IMPLEMENTATION

The success of a Municipal Development Plan depends on the commitment of Council, residents and the development community to implement the vision contained within the document over the long term. As this is a high level document, more detailed studies will be required in support of development proposals in order for Council to determine if the objectives of this document are being met in the most logical and economical manner.

## **a) Objectives**

- I. Keep the Municipal Development Plan relevant and in line with the needs of the community. As the MDP is a statutory document, it must be consistent with the higher level plans above it, including the Province's Municipal Government Act, the Alberta Land Stewardship Act and any Intermunicipal Development Plan which is adopted with the adjacent municipality.
- II. Ensure that adequate information is provided in order to render decisions on subdivision applications and development proposals.

## **b) Policies**

- I. The MDP shall be reviewed by Council every five (5) to ten (10) years to ensure that the Plan remains consistent with provincial legislation; the long term development goals of the community; and the economic factors influencing the Village and the region.
- II. All applications for subdivision and development, including redistricting (rezoning), should be consistent with the direction and future land use provided by this Municipal Development Plan.





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**Undeveloped Land**



### Legend

-  Village Boundary
-  Undeveloped Land



**Figure 10, Undeveloped Land**